

## REMARKS

The above amendment and these remarks are responsive to the Office action of Examiner Sean M. Reilly of 30 Jun 2005, designated final.

Claims 1-106 are in the case, none as yet allowed.

### 35 U.S.C. 102

Claims 1-12, 17-20, 22-43, 48-82, 87-99, and 104-106 have been rejected under 35 U.S.C. 102(e) over Boe et al. 6,122,276 (Boe hereafter).

In his Response to Arguments, the Examiner states:

"a. Boe fails to teach a confirmation record and other various server responses reaching the client"

"In considering (a), Examiner respectfully disagrees with Applicant's argument. Applicant contents (sic, contends) that Boe fails to send a confirmation record

to a client. However, Boe clearly teaches in figure 4, line E transmitting a confirmation record to the TN3270 server. It is noted that Applicant explicitly states this fact on pg 35 of Applicant's response dated 2/25/05. Within Boe's system, the TN3270 server (Figure 1, 18) is itself a client and therefore the client does receive a confirmation record."

"Applicant also contends that other various server responses fail to reach the client. However, the TN3270 server of figure 1, component 18 is itself a client within the Boe system. Therefore, by Applicant's own admissions in the response dated 2/25/05, Boe teaches all the limitations of Applicant's claimed invention." [Office Action, page 6.]

Applicants respectfully observe that the Examiner has referred to "a client", where the claims state "said client".

The Examiner says Figure 1 of Boe shows TN3270 server 18 to be a Telnet client. This cannot be a Telnet client, as the patent describes this connection from TN3270 server 18 to Host Mainframe 12 as "SNA communications" (Col. 2,

lines 1-5).

It is an inherent characteristic of Telnet clients and servers that they use the same communication protocol (usually TCP/IP communications, inasmuch as SNA is a proprietary communications protocol.) Boe Fig. 1 requires line 16 to be a TCPIP connection (Col. 1, lines 35-40) and line 20 to be an SNA connection (Col. 2, lines 1-5). These are not the same communication protocol.

Now, Boe exploits the SNA communications (Fig. 1, line 20) to implement his ACTLU x "confirmation record" in Fig. 4, line E. Thus, it would be correct to say that TN3270 Server 18 is an SNA client of Host mainframe 12, but it would not be correct to say server 18 is a Telnet client of mainframe 12. Responses from Host Mainframe 12 to TN3270 Server 18 (in particular, the ACTLU x in Fig. 4, line E) are SNA responses which are not passed back to a real Telnet client, but to an SNA client. In fact, what Boe's patent really shows is TN3270 Server 18 acting as a gateway (TCP-to-SNA protocol converter) between Telnet client 14 and Host Mainframe 12.

Applicants' invention requires no such converter.

The independent claims have been amended to more clearly state that a client is a device which communicates over the client/server connection using the same communication protocol as the server. Such communication requires no converter, and has advantages over Boe in that responses are returned to actual Telnet clients and can result in additional processing at Telnet client 14 to support new or enhanced functions.

Further, with the above understanding, Applicants argue that Boe still is distinguished from applicants invention, as stated in the previous amendment, in that Boe has an additional level of indirection not found in applicants claims, as well as for the above described distinction that communications between Boe's client and server are not in the same communications protocol.

Specifically, Boe has a TN3270 client (Fig. 1, element 13), a TN 3270 server (Fig. 1, element 18) and also a legacy Host (Fig. 1, element 12). This means that Boe has communication between the TN3270 client and the TN3270 server (as do applicants), but he also has communication between the TN3270 server and the legacy Host (also like applicants, but applicants claims are not directed to this

level of communication.)

This distinction is important, for the negotiations and communications of interest in Boe occur between the TN3270 server and the legacy Host. Applicants have no comparable level of communication, for all negotiations and communications of interest in applicants' claims occur between applicants client (such as a TN5250 client) and server (such as a TN5250 server).

Specifically, the confirmation record payload represented by applicants' claimed invention (Figure 2, block 122) gets returned by applicants (TN5250) server (Fig. 3, server 42) to applicants (TN5250) client (Fig. 3, client 40).

Thus, when applicants describe passing back information in a confirmation record to applicants' client, this information is actually communicated to the TN5250 client (Fig. 3, client 40). In Boe's case, this information is communicated from the legacy Host to the TN3270 server, and it does not continue on to an actual TN3270 client.

The significance of this distinction is that the TN3270

client of Boe is not actually involved in any of the negotiations specified in applicants' claims. In other words, the actual TN3270 client is not able to act on any information from the "confirmation record", such that it could, for example, do retry processing using a different set of negotiation variables, or taking corrective actions based upon the error code returned in the confirmation record.

The goal of Boe is to enable the legacy Host to track clients (Col. 7, lines 8-12) by processing in the TN3270 server (called the "communications gateway" in his claims), Applicants invention is distinct in that it seeks to enable programmable negotiations by the client.

Turning now to applicants' claim 1 and the teachings of Boe, Figure 4, as applied by the Examiner (at page 2 of the Office Action), consider the following analysis:

**1. Method for processing a client session request, comprising the steps of:**

The Examiner says Figure 1 of Boe shows TN3270 server 18 to be a Telnet client. Applicants

traverse. This cannot be a Telnet client, as the patent describes this connection from TN3270 server 18 to Host Mainframe 12 as "SNA communications" (Col. 2, lines 1-5).

**negotiating environment parameters for establishing a connection-oriented connection with said client, said client and said server communicating over said connection using a same client/server communications protocol;**

It is an inherent characteristic of Telnet clients and servers that they use the same communication protocol (usually TCP/IP communications, inasmuch as SNA is a proprietary communications protocol.) Boe Fig. 1 requires line 16 to be a TCPIP connection (Col. 1, lines 35-40) and line 20 to be an SNA connection (Col. 2, lines 1-5). These are not the same communication protocol.

**inviting said client to submit user variables;**

Examiner: line C, which is from TN3270 server to

Host.

Boe here introduces the additional level of indirection referred to previously, and from now on communications are between TN3270 Server and Host, and not between the TN3270 Server and TN3270 Client.

**responsive to receiving a user variable requesting a custom confirmation record, sending to said client a confirmation record and custom record data.**

Examiner: lines D and E, Fig. 4.

Applicants traverse on this critical point. The custom record data (line E) is not returned to the client as asserted by the Examiner, but rather to the TN3270 server. Thus, in Boe, the confirmation record and custom record data are not returned to the TN3270 Client, as is required by applicants' claims.

Boe exploits the SNA communications (Fig. 1, line 20) to implement his ACTLU x "confirmation record"



in Fig. 4, line E. Thus, it would be correct to say that TN3270 Server 18 is an SNA client of Host mainframe 12, but it would not be correct to say server 18 is a Telnet client of mainframe 12. Responses from Host Mainframe 12 to TN3270 Server 18 (in particular, the ACTLU x in Fig. 4, line E) are SNA responses which are not passed back to a real Telnet client, but to an SNA client. In fact, what Boe's patent really shows is TN3270 Server 18 acting as a gateway (TCP-to-SNA protocol converter) between Telnet client 14 and Host Mainframe 12.

With respect to claim 18, the Examiner rejects for reasons similar to those presented for claim 1. Applicants traverse.

Boe does show a client and server, but no client/server connection as now set forth in the claims. There is no teaching of the exit program communicating information back to a client using a same client/server communication protocol. Boe Figure 4 shows responses flowing from the host to the server, but no such flow on to the client.

Thus, Boe does not enable the client to act on any response from the host or the server.

With respect to claims 2 and 3, applicants traverse the Examiner's characterization and application of Boe. Applicants claims 2 and 3 are similar to Boe in that normal TCP/IP connection establishment occurs. However, the negotiation for the confirmation record response does not occur here, for Boe (Col. 3, line 25) refers to line C in Figure 3. Instead, this request for confirmation record occurs in Boe in Fig. 4, lines C and D, which do not correspond to line C in Figure 3. Line H in Fig. 3 does show a response, but this not a confirmation record response. It is possible the Examiner intended to cite Line E in Fig. 4 as the confirmation record response (ACTLU x), but as is clear from the figure, this response goes to the TN3270 server, and not to the TN3270 client.

With respect to claims 4-6, applicants traverse the Examiner's rejection. As previously argued, the responses cited by the Examiner are fed to the TN3270 server and, most importantly, not to the TN3270 client. Applicants agree that Boe has his version of a confirmation record, but argue that Boe does not teach that the confirmation record is

accessible to the intended client.

With respect to claims 7-8, applicants traverse. As stated before, the Boe responses go to the TN3270 server and not to the TN3270 client.

With respect to claims 9-12, and 17, applicants traverse. As stated before, the Boe responses go to the TN3270 server and not to the TN3270 client.

With respect to claims 19, 20 and 22, which have been rejected for reasons similar as for claims 1-8 and 18, applicants again traverse. Again, Boe is using his TN3270 server as the "client" in his architecture. The fact that the server is performing the actions described gives no advantage as set forth in applicants claims to the TN3270 client that connects to the TN3270 server.

With respect to claims 23, 32, 49, 58, 63, 71, 88, 105, and 106, all other independent claims in the case, applicants traverse the Examiner's characterization of Boe's teachings, which are asserted by the Examiner for similar reasons as for claim 1, and respond thereto as above for claim 1.

With respect to claims 33-34, 59-60, 64-65, 72-73, and 89-90, applicants traverse the Examiner's characterization and application of Boe. Applicants claims 2 and 3 are similar to Boe in that normal TCP/IP connection establishment occurs. However, the negotiation for the confirmation record response does not occur here, for Boe (Col. 3, line 25) refers to line C in Figure 3. Instead, this request for confirmation record occurs in Boe in Fig. 4, lines C and D, which do not correspond to line C in Figure 3. Line H in Fig. 3 does show a response, but this not a confirmation record response. It is possible the Examiner intended to cite Line E in Fig. 4 as the confirmation record response (ACTLU x), but as is clear from the figure, this response goes to the TN3270 server, and not to the TN3270 client.

With respect to claims 35-37, 61-62, 66-68, 74-76, 91-93, applicants traverse and argue, as asserted with respect to claims 4-6, that the responses cited by the Examiner are fed to the TN3270 server and, most importantly, not to the TN3270 client. Applicants agree that Boe has his version of a confirmation record, but argue that Boe does not teach that the confirmation record is accessible to the intended client.

With respect to claims 38-39, 69-70, 77-78, and 94-95, applicants traverse and argue, as with respect to claims 7-8, that the Boe responses go to the TN3270 server and not to the TN3270 client.

With respect to claims 40-43, 48, 79-82, 87, 96-99, and 104, applicants traverse and argue, as with respect to claims 9-12 and 17, that the Boe responses go to the TN3270 server and not to the TN3270 client.

Applicants have amended all of the independent claims 1, 18, 23, 32, 49, 58, 63, 71, 88, 105, and 106 to further clarify the operation of the client and server, and to define the client as a device which communicates with the server using a same client/server communication protocol, and urge that the rejection of these claims over Boe be reconsidered and withdrawn, and these claims allowed.

**35 U.S.C. 103**

Claims 13-16, 21, 44-47, 83-86, 100-103 have been

rejected under 35 U.S.C. 103(a) over Boe et al, 6,122,276 (Boe hereafter) in view of Green et al, 6,003,084 (Green hereafter).

Applicants traverse the rejection of these dependent claims, first for the reasons stated above with respect to their respective base claims, and second for the following reasons.

Green describes a proxy that sits between a client and a server. The function of that proxy is to add additional checks before allowing the client to connect to the server. Such checks include determining if the client is "allowed" in, or to add additional filtering of clients based on some arbitrary criteria.

However, since the Green proxy requires that the client first attempt a connection to the server and also see the response from the server, the teachings of the Green patent cannot apply to or be combined with Boe. This is because Boe works on the TN3270 server and legacy host connection interaction, and failure responses of the types applicants claim are not sent to the TN3270 client of Boe - they only go to the TN3270 server in Boe and therefore, in a

combination of Boe and Green, stay on the server side of the Green proxy. Therefore, no proxy as described by Green is able to inspect any confirmation record responses for a server, for the Boe reference does not teach giving such responses to the combined proxy/client of Green -- such are held and acted on at the server (in the host/server connection). Thus, were one of ordinary skill in the art to examine the Green and Boe references together, he would find no teaching suggesting how they could be combined in the manner asserted by the Examiner.

Applicants, therefore, urge that the rejection of claims 13-16, 21, 44-47, 83-86, 100-103 be reconsidered and withdrawn, and these claims allowed.

### **SUMMARY AND CONCLUSION**

Applicants urge that the above amendments be entered and the case passed to issue with claims 1-106.


The Application is believed to be in condition for allowance and such action by the Examiner is urged. Should

differences remain, however, which do not place one/more of the remaining claims in condition for allowance, the Examiner is requested to phone the undersigned at the number provided below for the purpose of providing constructive assistance and suggestions in accordance with M.P.E.P. Sections 707.02(j) and 707.03 in order that allowable claims can be presented, thereby placing the Application in condition for allowance without further proceedings being necessary.

Sincerely,

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